

1 HONORABLE RONALD B. LEIGHTON
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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON AT TACOMA

12 KEVIN MICHAEL BELL

13 Plaintiff,

14 v.

15 CITY OF LACEY; Police Chief DUSTY
16 PIERPOINT individually; Police Commander
17 JOE UPTON individually; City Attorney
18 DAVID SCHNEIDER individually; Mayor
19 ANDY RYDER individually; City Manager
20 SCOTT SPENCE individually; DOEs 1-25
21 individually; NISQUALLY TRIBE, Nisqually
22 CEO JOHN SIMMONS, individually and
23 Nisqually CFO ELETTA TIAM individually.

24 Defendants.

25 NO. 3:18-cv-05918-RBL

26 DEFENDANT NISQUALLY TRIBE'S
27 NOTICE OF INTENT TO OPPOSE
PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING
ORDER

Defendant Nisqually Tribe, by and through its undersigned counsel, hereby files this LCR 65(b)(5) notice of intent to oppose Plaintiff's Motion for Temporary Restraining Order. (Dkt. #20). In filing this notice, Defendant Nisqually Tribe expressly does not waive any defenses it has previously raised or is otherwise entitled to, including specifically but not limited to those related to its sovereign immunity.

DEFENDANT NISQUALLY TRIBE'S NOTICE OF
INTENT TO OPPOSE PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING ORDER - 1

FLOYD, PFLUEGER & RINGER P.S.
200 WEST THOMAS STREET, SUITE 500
SEATTLE, WA 98119
TEL 206 441-4455
FAX 206 441-8484

1 DATED this 19th day of February, 2019.

2 FLOYD PFLUEGER & RINGER, P.S.
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5 /s/Thomas B. Nedderman
6 Thomas B. Nedderman, WSBA No. 28944
7 William J. Dow, WSBA No. 51155
8 FLOYD, PFLUEGER & RINGER P.S.
9 200 W. Thomas Street, Suite 500
10 Seattle, WA 98119
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12 Fax (206) 441-8484
13 tnedderman@floyd-ringer.com
14 *Counsel for Defendants Nisqually Tribe,
15 CEO John Simmons and CFO Eletta Tiam*

1 DECLARATION OF SERVICE
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3 Pursuant to RCW 9A.72.085, I declare under penalty of perjury and the laws of the
 4 State of Washington that on the below date, I delivered a true and correct copy of
 DEFENDANT NISQUALLY TRIBE'S NOTICE OF INTENT TO OPPOSE PLAINTIFF'S
 MOTION FOR TEMPORARY RESTRAINING ORDER via the method indicated below to
 the following parties:

5 Jackson Millikan Millikan Law Firm 2540 Kaiser Rd NW Olympia, WA 98502 jackson@millikanlawfirm.com	6 <i>Counsel for Plaintiff</i>	7 [] Via Messenger [] Via Email [] Via Facsimile [] Via U.S. Mail [X] Via CM/ECF
9 Kent Underwood Underwood Law 10 705 S. 9 th Street, Suite 205 11 Tacoma, WA 98405 Kent@underwoodlaw.us	12 <i>Counsel for Plaintiff</i>	13 [] Via Messenger [] Via Email [] Via Facsimile [] Via U.S. Mail [X] Via CM/ECF
15 Robert W. Novasky Forsberg & Umlauf, P.S. 1102 Broadway Ste 510 Tacoma, WA 98402-3534 rnovasky@FoUm.law	16 <i>Counsel for Defendants Does 1-25</i>	17 [] Via Messenger [] Via Email [] Via Facsimile [] Via U.S. Mail [X] Via CM/ECF
19 John E. Justice Law, Lyman, Daniel, Kamerrer & Bogdanovich, P.S. P.O. Box 11880 Olympia, WA 98058 jijustice@lldkb.com	20 <i>Counsel for Lacey Defendants</i>	21 [] Via Messenger [] Via Email [] Via Facsimile [] Via U.S. Mail [X] Via CM/ECF
23 Daniel F. Mullin Aaron P. Gilligan 101 Yesler Way, Suite 400 Seattle, WA 98104 dmullin@masattorneys.com agilligan@masattornys.com	24 <i>Counsel for Lacey Defendants</i>	25 [] Via Messenger [] Via Email [] Via Facsimile [] Via U.S. Mail [X] Via CM/ECF

26 DATED this 19th day of February, 2019 at Seattle, Washington.

27
 28 /s/Monica R. Howard
 29 Monica R. Howard, Legal Assistant